

Application Serial No.: 09/840,180
Reply to Office Action dated December 21, 2005

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 2-21 are presently active in this case, Claims 2 and 9 having been amended and Claims 18-21 having been added by way of the present Amendment.

Claims 2 and 9 are amended to merely clarify the language thereof in a non-narrowing manner. Support for new Claims 18-21 can be found on page 3, lines 1-18, and page 6, lines 15-22.

The Applicant wants to thank Primary Examiner Melur Ramakrishnaiah for the courtesies extended during the personal interview conducted on January 18, 2006, with Applicant's representatives.

In the outstanding Official Action, Claims 2-8 and 9-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Imai (GB 2337857) in view of Suzuki et al. (JP 411191865A). Claims 10-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Imai in view of Suzuki et al. and further in view of Suso et al. (U.S. Patent No. 6,069,648). For the reasons discussed below, the Applicant traverses the obviousness rejections.

The basic requirements for establishing a *prima facie* case of obviousness as set forth in MPEP 2143 include (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the

art, to modify the reference or to combine reference teachings, (2) there must be a reasonable expectation of success, and (3) the reference (or references when combined) must teach or suggest all of the claim limitations. The Applicant submits that a *prima facie* case of obviousness has not been established in the present case because the cited references, either when taken singularly or in combination, do not teach or suggest all of the claim limitations.

Claim 2 of the present application recites a holder comprising, among other features, a first component holding unit configured to hold an image pickup device in a region without an opening on a main surface of a board, and a second component holding unit, where the first component holding unit is configured to hold a central substantial portion of a surface of the image pickup device in direct contact to the main surface. Claim 9 recites a holder comprising, among other features, a first component holding unit to hold an image pickup device on a flat region of a main surface of a board, and a second component holding unit, where the first component holding unit is configured to hold a substantial portion of a bottom surface of the image pickup device in direct contact to the flat portion of the main surface. The Applicant submits that the Imai and Suzuki et al. references, either when taken singularly or in combination, do not teach or suggest all of the above limitations.

The Official Action cites the first holder portion (1B) in the Imai reference for the teaching of the claimed first component holding unit. The Imai reference describes on page 3 thereof that the first holder portion (1B) includes a first recess (13a) and two first openings (13b) formed in the bottom of the first recess (13a). The recess (13a) receives the lower

portion of the receiver (3). The circuit board (2) is being cited as the board referred to in the claims of the present application. Also note that since the Imai reference does not disclose an image pickup device (this feature is cited in the supplementary secondary Suzuki et al. reference), the receiver (3) is being cited as the feature corresponding to the image pickup device.

As is evident from a review of Figures 1 and 5 of the Imai reference, the first holder portion (1B) prevents direct contact between a substantial portion of a surface of the receiver (3) and the circuit board (2). As can be seen in Figure 5, the cross-sectional shape of the first holder portion (1B) is U-shaped, and thus the bottom of the "U" is interposed between the receiver (3) and the circuit board (2). While the first holder portion (1B) does include openings (13b) presumably for the insertion of conductors (3a), these openings do not allow a substantial portion of a surface of the receiver (3) to be in direct contact with the board (2).

The Applicant submits that the configuration of the first holder portion (1B) described in the Imai reference is similar to the holder (20) depicted, for example, in Figure 13A of the present application in that the holder (20) includes a base portion that is interposed between the device (1) and the board (4). As is described in the present application, the interposition of the base portion of holder (20) significantly increases the overall thickness of the phone, which is highly undesirable. Similarly, as is evident from a review of Figure 5 of the Imai reference, the base or bottom portion of the first holder portion (1B) depicted therein comprises at least one quarter of the overall thickness of the portion of the phone having the

receiver (3). The inventor of the present invention recognized this problem and conceived the present invention in order to overcome this problem. No such recognition or solution is disclosed or even suggested in the Imai reference.

As is evident from a review of Figure 5 of the Imai reference, this reference does not disclose or suggest a first component holding unit configured to hold a central substantial portion of a surface of a device in direct contact to a main surface of a board as recited in Claim 2 of the present application, or a first component holding unit configured to hold a substantial portion of a bottom surface of a device in direct contact to a flat portion of a main surface of a board as recited in Claim 9. The Applicant further submits that the Suzuki et al. reference fails to supplement this deficiency.

The Suzuki et al. reference is cited for the teaching of a unit for holding an image pickup device. As is noted in the Abstract of the Suzuki et al. reference, this reference describes a solid-state image pickup element (11) that is inserted within an opening (18a) provided in a circuit board (18). The element (11) does not have a substantial portion of a surface thereof that is in direct contact with the board (18). At most, the outer periphery of the element is in contact with the opening (18a), which is clearly not a substantial portion. Thus, the Suzuki et al. reference does not supplement the deficiencies in the teachings of the Imai reference described above, and therefore a *prima facie* case of obviousness has not been established with respect to Claims 2 and 9.

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Furthermore, the Applicant notes that the structure of the Suzuki et al. reference does not appear to utilize a holding unit at all, and thus should not be combined with the Imai reference in the manner suggested. Also, the Suzuki et al. reference does not provide a holding unit configured to hold an image pickup device in a region without an opening on a main surface of a board as recited in Claim 2, since as noted in the Abstract of the Suzuki et al. reference the invention described therein deals with mountings of elements within an opening (18a) in the board (18). Thus, for these additional reasons, the Applicant submits that the proposed combination of the Imai reference and the Suzuki et al. reference is improper.

Accordingly, the Applicant respectfully requests the withdrawal of the obviousness rejections of Claims 2 and 9.

The dependent claims are considered allowable for the reasons advanced for the independent claim from which they respectively depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed nor suggested by the applied references when those features are considered within the context of their respective independent claim.

New independent Claim 18 is allowable as it recites features that are not disclosed or suggested by the cited references, either when they are taken singularly or in combination. For example, Claim 18 advantageously recites a holder comprising, among other features, a first component holding unit that is configured to hold a bottom surface of an image pickup

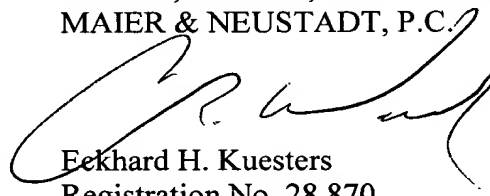
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device in direct contact to a main surface of a board without the first component holding unit being interposed between the image pickup device and the main surface.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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